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September 20, 2017

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: **Notice of Ex Parte Presentation in IB Docket No. 16-408**

Dear Ms. Dortch:

On September 19, 2017, Mariah Shuman, Senior Director of Regulatory Affairs, for WorldVu Satellites Limited ("OneWeb") spoke separately via telephone with Rachael Bender, Wireless and International Advisor to Chairman Ajit Pai, Thomas Sullivan, Chief of the Commission's International Bureau, and, together with Tony Azzarelli, Vice President of Regulatory Affairs for OneWeb, Jose Albuquerque, Chief of the Satellite Division of the International Bureau, to discuss the draft Report and Order in the above-referenced proceeding.[1]

As an initial matter, OneWeb expressed its appreciation to the Commission for working to expeditiously adopt the Draft R&O updating the rules affecting NGSO FSS systems. In particular, OneWeb expressed its support for the Commission's proposed adoption of $\Delta T/T$ of 6% as the default coordination trigger to govern sharing between non-geostationary orbit ("NGSO"), fixed-satellite service ("FSS") systems.[2] OneWeb explained to Commission staff that this coordination mechanism appropriately accounts for the widely varying operating parameters of both currently authorized and proposed NGSO FSS systems.

OneWeb reiterated its view that such good-faith coordination discussions should be governed in accordance with the relative date each system provided public notice of its intended orbital operations and desired frequencies via the globally public International Telecommunications

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[1] *See* FCC-CIRC1709-04 (rel. Sept. 7, 2017) ("Draft R&O").

[2] *See* Draft R&O at ¶ 48.

Union ("ITU") filing system that has been used by the other NGSO FSS applicants.[3] Adopting such a coordination mechanism would provide NGSO FSS operators with much-needed certainty regarding spectrum availability.

OneWeb expressed its view that the global public notice provided by an ITU filing allows subsequent NGSO FSS operators to design their systems to best coexist with and re-use the spectrum of prior-filed constellations. As such, this mechanism allows for economically viable spectrum sharing and provides operators and potential investors with the certainty of spectrum availability.

OneWeb pointed out that every NGSO FSS operator with an application or market access petition pending before the Commission has already designed its constellation in accordance with this regulatory framework. This framework provides a fair and equitable process. Earlier-filed systems can no more interfere with later-filed systems than later-filed systems can interfere with earlier-filed systems. For instance, OneWeb's NGSO FSS system was designed to coexist with the known Ka-band systems previously filed with the ITU, including O3b. Therefore, in the Ka-band, just as OneWeb may not interfere with O3b, O3b may not alter its technical and orbital characteristics if such changes were to cause more interference to the OneWeb network.

OneWeb explained that the Commission's current default sharing mechanism in which NGSO FSS operators divide the available spectrum reduces the efficiency of satellites when operating within the U.S., which will degrade available service and ultimately harm consumers.[4] This approach could potentially result in NGSO FSS operators having access to only a mere fraction of the otherwise available spectrum. OneWeb noted that satellites, like mobile phones, include filters, amplifiers and antennas designed for a particular spectrum size, and reductions to that spectrum size greatly reduces operational efficiency.

Therefore, OneWeb submitted that the appropriate and most equitable basis for inter-operator coordination (once a $\Delta T/T$ of 6% triggers coordination) in the U.S. is priority based on the first public notice of the system. To employ a unique and alternative method of spectrum management may negatively impact those NGSO FSS systems whose planned operations were announced and designed long ago. This fragmentation could result in delays and cost impediments to reaching those in unserved and underserved markets, which is OneWeb's core mission.

[3] *See Reply Comments of WorldVu Satellites Limited*, IB Docket No. 16-408 at 19-23 (filed Apr. 10, 2017).

[4] *See* Draft R&O at ¶ 49.

With regard to equivalent power flux density ("EPFD"), OneWeb voiced its opposition to the Commission's proposed self-certification process.[5] As OneWeb demonstrated in a recent submission to the Commission, at least one NGSO FSS applicant has designed its system with more than twice the allowed emissions levels.[6]

OneWeb stated that the Commission should continue to require each NGSO FSS applicant to provide and publicize the detailed EPFD related inputs and results of its system designs. Then, if it is demonstrated that the publicized NGSO FSS system design fails to comply with the EPFD requirements, the applicant should be given an opportunity to update its design. However, a satellite system design that does not comply with the EPFD limits should not be licensed or granted access to the U.S. market. Under such a rule, the Commission will continue to protect the GSO community while giving NGSO applicants the opportunity to demonstrate compliance with applicable EPFD limits.

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b), this letter is being filed via ECFS and e-mailed to the meeting participants. Please do not hesitate to contact the undersigned with any questions.

Very truly yours,

/s/ Mariah D. Shuman

Mariah D. Shuman
Senior Director of Regulatory Affairs

cc: Rachael Bender
Thomas Sullivan
Jose Albuquerque

[5] *Id.* at 41.

[6] *See* Letter from Brian D. Weimer, Counsel to OneWeb, to Marlene H. Dortch, Secretary, FCC, IB Docket No. 16-408 *et al.* at 3 (filed Sept. 10, 2017).